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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,959

Applicant(s)

ROZENFELD ET AL.

Examiner

Ashok B. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) 4,35,66 and 70 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-34,36-65 and 67-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/13/05, 9/20/04, 6/29/04, 1/16/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-70 are subject to examination. Claims 4, 35, 66 and 70 have been cancelled.

Response to Arguments

2. Applicant's arguments filed 05/13/ 2005 have been fully considered but they are not persuasive for the following reasons:

First of all Examiner would like to point out that Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

§103 Rejection of the Claims:

Applicant's argument: Claim 1

"In contrast the above quote from Monachello does not describe distributing a customized network connection application to end- users much less to end-users associated with a customer the provides customization information pertaining to the customized network connection application,' but rather, service selection for a group of users. Monachello therefore cannot be said to anticipate the above quoted limitation because Monachello discloses service selection for a group of users and claim 1

Art Unit: 2154

requires distributing a customized network connection application to end-users associated with a customer that provides customization information pertaining to the customized network connection application.”

“Independent claims 32, 63 and 67 each include a limitation corresponding substantially to the above-discussed limitation of claim 1. The above remarks are accordingly also applicable to a consideration of these independent claims.”

Examiner's response:

In the office action Monachello was quoted to teach, reiterated here as part of the currently cancelled claim 4, office action page 6, paragraph 21, “Monachello teaches providing the same customized application to a group of workstations associated with a customer (col. 3, lines 17-18).”

Monachello teaches in col. 3, line 11-25, “In one embodiment, dynamic service selection comprises individual service selection or group service selection. Individual service selection allows each workstation user to select one or more NSPs, while group service selection designates one or more NSPs for all users in the group (e.g., all users of a customer premises equipment (CPE)). In one embodiment, dynamic service selection is advantageous in that the selection takes effect without requiring a reboot of the user workstation or the other network equipment. An NSP for purposes herein may be, for example, an Internet Service Provider (ISP), a company headquarters, or a content provider such as, for example, America Online or CompuServe.”

And this service selection is made through a GUI at each work station for individual service selection as taught by Monachello at col. 3, line 54-65, “In one

Art Unit: 2154

embodiment, a web-based application may provide a graphical user interface (GUI), such as, for example, a web browser, for the user perform the service selection. The web browser may be part of a Java application which, when executed, displays a list of NSPs that the user is authorized to use. Using the web browser, the user selects an NSP. For example, if a particular end user decides he or she wants to get to the internet through America Online and another decides to do it through PSI Net, the individual end users may select the NSPs and essentially configure the system. In one embodiment, users may bring up an a Java application in a web browser."

Thus, Monachello teaches "distributing a customized network connection application to end-users associated with a customer that provides customization information pertaining to the customized network connection application."

As indicated by the Applicant, independent claims 32, 63 and 67 each include a limitation corresponding substantially to the above-discussed limitation of claim 1. Therefore Examiner's response for claim 1 is accordingly also applicable to these independent claims.

Applicant's argument:

"Claims 8 and 39 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 8 and 39 under 35 U.S.C §103 is also addressed by the above remarks."

Examiner's response:

Please refer to Examiner's response provided for claim 1.

Applicant's argument:

"Claims 9 and 40 depend on independent claims 1 and 32 respectively. If an independent claim is nonobvious under 35 U.S.C. §103 then, any claim depending therefrom is nonobvious and rejection of claims 9 and 40 under 35 U.S.C. §103 is also addressed by the above remarks. Further, Applicants respectfully traverse this Official notice and request the Examiner to provide a reference that describes such an element."

Claims 31 and 62 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. §103 then, any claim depending therefrom is nonobvious and rejection of claims 31 and 62 under 35 U.S.C. §103 is also addressed by the above remarks. Further, Applicants respectfully traverse this official notice and request the Examiner to provide a reference that describes such an element.

Examiner's response:

Claim 9 recites "The method of claim 8 wherein the pricing information specifies a conversion rate to be applied when the connection price is displayed in the specified currency." And claim 40 recites "The system of claim 39 wherein the pricing information specifies a conversion rate to be applied when the connection price is displayed in the specified currency."

Claim 31 recites " The method of claim 29 wherein the pricing rule specifies a range price rule that utilizes a basic connection price charged by a network access provider for access in the at least one country." And claim 62 recites "The system of claim 60 wherein the pricing rule specifies a range price rule that utilizes a basic

Art Unit: 2154

connection price charged by a network access provider for access in the at least one country."

Reeder (US 5, 852, 812) expresses the claimed elements as well known in the art and are being practiced, in col. 1, line 21-37, "Customers can be billed for on-line charges that accrue while the customer accesses the system. These charges accrue, for example, for every hour that the customer maintains a connection to an on-line network. A number of on-line systems such as CompuServe, America Online and Prodigy can charge customers for every hour that they are connected to the network. In addition, these networks can charge "premium surcharges" which begin accruing when a customer accesses a specific area of the on-line network. For example, there may be an additional surcharge for accessing stock quotes or business news sections of the on-line network which is over and above the base subscription price the customer pays per hour to access the network. A formidable challenge in these on-line networks is pricing in a timely manner so that accurate charges can be reviewed by the customer in real-time. "

Also Reeder goes on teaching in the same column, line 44-63, "In addition, on-line computer systems need to address the currency-conversion problems associated with billing customers throughout the world. In most instances, customers are charged a fluctuating price for their on-line time that depends on daily currency prices. For example, some U.S. based on-line systems charge their foreign customers different prices every month depending on the current price of the U.S. dollar. In these systems, the customer chooses a particular currency to be charged in, known as the base

Art Unit: 2154

currency. There is also a local currency that is unique to their home country. This method of doing business is very advantageous for the on-line company because they do not bear the risk of currency price changes.

However, customers in these on-line systems are charged different prices for the same services due to changing valuations of the U.S. dollar. This is not advantageous for the customer because they are never sure what a particular service will actually cost until getting a bill from their on-line or credit card company.

Thus, the problem, it's solution and the motivation for implementing the solution is taught by Reeder as claimed in above claims.

Applicant's argument:

"Claims 19 and 50 depend on independent claims 1 and 32 respectively. If an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 19 and 50 under 35 U.S.C. § 103 is also addressed by the above remarks."

"Claims 20 and 51 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 20 and 51 under 35 U.S.C. §103 is also addressed by the above remarks."

" Claims 21 and 52 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 21 and 52 under 35 U.S.C. §103 is also addressed by the above remarks."

"Claims 23 and 54 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. §103 then, any claim depending therefrom is nonobvious and rejection of claims 23 and 54 under 35 U.S.C. §103 is also addressed by the above remarks."

"Claim sets 24-26 and 55-57 depend on independent claims 1 and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. §103 then, any claim depending therefrom is nonobvious and rejection of claims 24-26 and 55-57 under 35 U.S.C. § 103 is also addressed by the above remarks."

"Claims 29, 30, 60, and 61 depend on independent claims 1, 1, 32, and 32, respectively. If an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 29, 30, 60, and 61 under 35 U.S.C. § 103 is also addressed by the above remarks."

Examiner's response:

Please refer to Examiner's response provided for claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejection set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6, 7, 10-18, 22, 27, 28, 32-35, 37, 38, 41-49, 53, 58, 59, and 63-70

Art Unit: 2154

are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy et al. (US 6,317,792) hereinafter Mundy in view of Monachello et al. (US Patent 6,748,439) hereinafter Monachello.

5. As per claim 1, Mundy teaches a method to manage a customized network connection application (Fig. 2 item 30), the method including: receiving at a customization system, the customization information pertaining to the customized network connection application (Fig. 2, items 22 and 24', col. 7, lines 62-65) storing the customization information as a profile associated with the customized network connection application from a customer of the customization system(col. 7, lines 41-49); automatically generating the customized network connection application utilizing the profile (col. 7, line 66-col. 8, line 3-4).

Mundy fails to teach generating a plurality of input interfaces to receive customization information pertaining to the customized network connection application; receiving the customization information pertaining to the customized network connection application via the plurality of input interfaces, and the customized network connection application is distributed to a plurality of end-users associated with the customer.

Monachello teaches generating a plurality of input interfaces to receive customization information pertaining to the customized network connection application and receiving the customization information pertaining to the customized network connection application via the plurality of input interfaces (Fig. 2, blocks 210-211, col. 3, line 54-col. 4, line 7). Monachello also teaches in col. 3, line 11-65, as explained

above, the customized network connection application is distributed to a plurality of end-users associated with the customer.

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello to generate a plurality of user interfaces to accept user profile information for customizing a network connection application because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to provide a graphical user interface would provide an efficient way for non computer savvy users to provide the requested profile information.

6. As per claim 2, Mundy teaches the method of claim 1 including, subsequent to the distribution of the customized network connection application, receiving further customization information indicating a modification to the profile associated with the customized network connection application and updating the customized network application in accordance with the modification to the profile (col. 7, lines 50-56).

7. As per claim 3, Mundy teaches the method of claim 2 wherein a copy of the customized network connection application is distributed to a recipient (col. 8, lines 3-4) and the application is updated in accordance with modifications to the profile (col. 7, lines 50-55).

Mundy fails to teach distributing a plurality of copies of the customized network application to a plurality of recipients.

Monachello teaches providing the same customized application to a group of workstations (col. 3, lines 44-46).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to modify the network connection application generator taught by Mundy to distribute the customized network connection application to a plurality of recipients and to update each copy in accordance with modifications to the profile would allow an organization to select a network access provider on a group basis (See Monachello: col. 3, lines 17-19).

8. As per claim 6, Mundy fails to explicitly teach the method of claim 1 wherein the plurality of input interfaces include a plurality of markup language documents, and including communicating the plurality of markup language documents from a customization system to a computer system accessed by the customer.

Monachello teaches providing a user interface by providing markup language documents and communicating those markup language documents from a customization system to a computer system accessed by the customer (col. 3, lines 54-62).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello to generate a plurality of user interfaces using markup language documents to accept user profile information for customizing a network connection application because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to provide a markup language based graphical

Art Unit: 2154

user interface would allow using a browser, likely to be present on any computer used to access the internet to provide an efficient way for non computer savvy users to provide the requested profile information.

9. As per claim 7, Mundy teaches the method of claim 1 wherein the customization information includes pricing information indicating whether the customized network connection application displays a connection price associated with at least one network connection point accessible utilizing the customized network connection application (col. 8, lines 4-8: cost and other factors are optionally used to select the service provider connection point).

10. As per claim 10, Mundy teaches the method of claim 7 wherein the connection price is based on a basic connection price specified in a pricing plan associated with the customer and negotiated between the customer and a network access provider (col. 2, lines 45-51).

11. As per claim 11, Mundy teaches the method of claim 1 wherein the customization information includes network access point information identifying a plurality of network access points to which the customized network connection application is authorized to establish a network connection (col. 6, lines 8-12).

12. As per claim 12, Mundy teaches the method of claim 1 wherein the network access point information includes Point of Presence (POP) information identifying at least one Point of Presence (col. 8, lines 10-12).

13. As per claim 13, Mundy teaches the method of claim 12 wherein the Point of

Art Unit: 2154

Presence information includes any one of a group of information items including a country identifier, a region identifier, a city identifier, an area identifier, a telephone number, a maximum connection speed, and price information indicating a price for accessing the at least one Point of Presence (col. 11, lines 56-61 ', price information', col. 7, lines 28-31 : using geographic information or telephone number).

14. As per claim 14, Mundy teaches the method of claim 1 wherein the network connection application is authorized to use any one of a collection of network access points to establish a network connection (col. 10, lines 19-23), and wherein the customization information includes update information indicating whether the customized network connection application is automatically to update the collection of network access points (col. 7, lines 55-60).

15. As per claim 15, Mundy teaches the method of claim 14 wherein the collection of network access points includes a collection of Points of Presence (POPs) (col. 4, lines 42-44).

16. As per claim 16, Mundy teaches the method of claim 1 wherein the customization information includes session limit information indicating a limited amount of time for which a network connection may be established utilizing the customized network connection application (col. 8, lines 58-59).

17. As per claim 17, Mundy teaches the method of claim 1 wherein the customization information includes connection mode information indicating a mode by which the customized network connection application establishes a network connection (col. 6, lines 10-19).

Art Unit: 2154

18. As per claim 18, Mundy teaches the method of claim 17 wherein the connection mode information indicates any one of a group of connection modes including a modem connection, an ISDN connection, a wireless broadband connection, and a wired broadband connection (col. 6, lines 15-19).

19. As per claim 22, Mundy teaches the method of claim 1 wherein the customization information includes error action information identifying at least one action to be performed upon occurrence of an error in an establishment of a network connection by the customized network connection application (col. 10, lines 12-16: application may retry or else use different POP upon failure', col. 10, lines 23-25: use of backup POP may increase the access cost).

20. As per claim 27, Mundy teaches the method of claim 1, wherein the customization information includes network access point filter information providing criteria to filter network access points that are accessible utilizing the customized network connection application (col. 7, line 63 - col. 8, line 10: geographic information and price used to identify appropriate access points to be used by used).

21. As per claim 28, Mundy teaches the method of claim of claim 27 wherein the criteria include any one of a group of criteria including a country, a state, a city, a phone number, a connection speed, an access type and a price (col. 7, line 63 - col. 8, line 10: price and geographic information used as criteria).

22. As per claim 32, Mundy teaches a system to manage a customized network connection application, the system including: a customization tool to receive

Art Unit: 2154

customization information pertaining at a customization system, to the customized network connection application from a customer of the customization system 30(Fig 1, col. 7, lines 43-45),. a database to store the customization information as a profile associated with the customized network connection application (col. 7, lines 41- 49),. and a build server 18 automatically to generate the customized network connection application utilizing the profile (Fig. 2,. Fig. 4, steps 52-58).

Mundy fails to explicitly teach that a customization tool to generate a plurality of input interfaces to receive customization information pertaining to the customized network connection application and the customized network connection application is distributed to a plurality of end-users associated with the customer.

Monachello teaches generating a plurality of input interfaces to receive customization information pertaining to the customized network connection application and receiving the customization information pertaining to the customized network connection application via the plurality of input interfaces (Fig. 2, blocks 210-21 1., col. 3, line 54-col. 4, line 7).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello to generate a plurality of user interfaces to accept user profile information for customizing a network connection application because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to provide a graphical user interface would provide an efficient way for non computer savvy users to provide the requested profile information.

Art Unit: 2154

23. As per claim 33, Mundy teaches the system of claim 32 wherein, subsequent to the distribution of the customized network connection application, the customization tool is to receive further customization information indicating a modification to the profile associated with the customized network connection application, and to update the customized network application in accordance with the modification to the profile (col. 7, lines 50-56).

24. As per claim 34, Mundy teaches the system of claim 33 wherein the build server (Fig. 2, item 18) is to distribute a copy of the customized network connection application is distributed to a recipient (col. 8, lines 3-4) and the application is updated in accordance with modifications to the profile (col. 7, lines 50-55).

Mundy fails to teach distributing a plurality of copies of the customized network application to a plurality of recipients.

Monachello teaches providing the copies of the customized application to a group of workstations (col. 3, lines 44-46).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to modify the network connection application generator taught by Mundy to distribute the customized network connection application to a plurality of recipients and to update each copy in accordance with modifications to the profile would allow an organization to select a network access provider on a group basis (See Monachello: col. 3, lines 17-19).

25. As per claim 37, Mundy fails to explicitly teach the system of claim 32 wherein customization tool is to generate the plurality of input interfaces as including a plurality of markup language documents, and to communicate the plurality of markup language documents from a customization system to a computer system accessed by the customer.

Monachello teaches providing a user interface by providing markup language documents and communicating those markup language documents from a customization system to a computer system accessed by the customer (col. 3, lines 54-62).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Monachello to use the customization tool to generate a plurality of user interfaces using markup language documents to accept user profile information for customizing a network connection application because they both deal with selecting from a plurality of service providers to provide access to a network. Furthermore, the teaching of Monachello to provide a markup language based graphical user interface would allow using a browser, likely to be present on any computer used to access the Internet to provide an efficient way for non computer savvy users to provide the requested profile information.

26. As per claim 38, Mundy the system of claim 32 wherein the customization information includes pricing information indicating whether the customized network connection application displays a connection price associated with at least one network

Art Unit: 2154

connection point accessible utilizing the customized network connection application (col. 8, lines 4-8: cost and other factors are optionally used to select the service provider connection point).

27. As per claim 41 , teaches the system of claim 38 wherein the connection price is based on a basic connection price specified in a pricing plan associated with the customer and negotiated between the customer and a network access provider (col. 2, lines 45-51).

28. As per claim 42, Mundy teaches the system of claim 32 wherein the customization information includes network access point information identifying a plurality of network access points to which the customized network connection application is authorized to establish a network connection (col. 6, lines 8-12).

29. As per claim 43, Mundy teaches the system of claim 42 wherein the network access point information includes Point of Presence (POP) information identifying at least one Point of Presence (col. 8, lines 10-12).

30. As per claim 44, Mundy teaches the system of claim 43 wherein the Point of Presence information includes any one of a group of information items including a country identifier, a region identifier, a city identifier, an area identifier, a telephone number, a maximum connection speed, and price information indicating a price for accessing the at least one Point of Presence (col. 11, lines 56-61, price information; col. 7, lines 28-31 2 using geographic information or telephone number).

31. As per claim 45, Mundy teaches the system of claim 32 wherein the build server is to generate the network connection application as authorized to use any one of a

Art Unit: 2154

collection of network access points to establish a network connection (col. IU, lines 19-23), and wherein the customization information includes update information indicating whether the customized network connection application is automatically to update the collection of network access points (col. 7, lines 55-60).

32. As per claim 46, Mundy teaches the system of claim 45 wherein the collection of network access points includes a collection of Points of Presence (col. 4, lines 42-44).

33. As per claim 47, Mundy teaches the system of claim 32 wherein the customization information includes session limit information indicating a limited amount of time for which a network connection may be established utilizing the customized network connection application (col. 8, lines 58-59).

34. As per claim 48, Mundy teaches the system of claim 32 wherein the customization information includes connection mode information indicating a mode by which the customized network connection application establishes a network connection (col. 6, lines 10-19).

35. As per claim 49, Mundy teaches the system of claim 48 wherein the connection mode information indicates any one of a group of connection modes including a modem connection, an ISDN connection, a wireless broadband connection, and a wired broadband connection (col. 6, lines 15-19).

36. As per claim 53, Mundy teaches the system of claim 32 wherein the customization information includes error action information identifying at least one action to be performed upon occurrence of an error in an establishment of a network

Art Unit: 2154

connection by the customized network connection application (col. 10, lines 12-16: application may retry or else use different POP upon failure, col. 10, lines 23-25: use of backup POP may increase the access cost).

37. As per claim 58, Mundy teaches the system of claim 32 wherein the customization information includes network access point filter information providing criteria to filter network access points that are accessible utilizing the customized network connection application (col. 7, line 63 - col. 8, line 10: geographic information and price used to identify appropriate access points to be used by used).

38. As per claim 59, Mundy teaches the system of claim 58 wherein the criteria include any one of a group of criteria including a country, a state, a city, a phone number, a connection speed, an access type and a price (col. 7, line 63 - col. 8, line 10: price and geographic information used as criteria).

39. As per claims 63, 64 and 65, claims 63, 64 and 65 recite an apparatus that carries out the process recited in claims 1, 2, and 3 respectively. Mundy teaches that the process of claims 1-3 may be executed in a computer machine means (col.4, lines 57-60). Claims 63-65 are rejected for the same reasons as claims 1-3 respectively.

40. As per claims 67, 68 and 69, claims 67, 68 and 69 recite a machine-readable medium containing instructions, which carry out the process recited in claims 1, 2 and 3 respectively. Mundy teaches that the process of claims 1-3 may be executed in a machine-readable medium containing stored instructions (col.4, lines 57-60). Claims 67-69 are rejected for the same reasons as claims 1-3 respectively.

41. Claims 5 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied respectively to claim 1 and 32 above, and further in view of Horstmann (US Patent 6,055,503).

42. As per claim 5, Mundy teaches the method of claim 1 including distributing the customized network application (col. 8, lines 3-4).

Mundy fails to explicitly teach distributing the customized network connection application as a self-installing executable.

Horstmann teaches distributing updates to programs as self-installing executables (col.4, lines 1 1-15).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Horstmann because they both deal with distributing customized applications to users. Furthermore, the teaching of Horstmann to use a self-installing executable to distribute the customized network application taught by Mundy would automate the process of placing files in their required locations and modifying the connection application eliminating errors by users who are not experts at product installation (See Horstmann, lines 15-19).

43. As per claim 36, Mundy teaches the system of claim 32 wherein the build server distributes the customized network application (col. 8, lines 3-4).

Mundy fails to teach that the build server distributes updates to programs as self-installing executables (col.4, lines 1 1-15)

Horstmann teaches distributing updates to programs as self-installing executables (col.4, lines 1 1-15).

Art Unit: 2154

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Horstmann because they both deal with distributing customized applications to users. Furthermore, the teaching of Horstmann to use have the build server distribute the customized network application taught by Mundy self-installing as a executable would automate the process of placing files in their required locations and modifying the connection application eliminating errors by users who are not experts at product installation (See Horstmann, lines 15-19).

44. Claims 8 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied to respectively to claims 7 and 38 above, and further in view of Ginzboorg et al. (US 6,240,091) hereinafter Ginzboorg.

45. As per claim 8, Mundy fails to explicitly teach the method of claim 7 wherein the pricing information specifies a currency in which the connection price is displayed by the customized network connection application.

Ginzboorg teaches the pricing information specifies a currency in which the connection price is displayed by the customized connection application (col. 21, lines 61-63, col. 8, lines 24-30: charging record displayed by customer includes currency type used in transaction).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Ginzboorg because they both deal with selection of parameters for connection to a network. Furthermore, the teaching of Ginzboorg to modify the teaching of Mundy to specify the currency in which

the connection price is displayed by the customized network application would allow various types of currency to be used when arranging contracts for connection to a network thus increasing the options available to customers thus providing an increased customer base (col. 13, lines 23-25).

46. As per claim 39, Mundy fails to explicitly teach the system of claim 38 wherein the pricing information specifies a currency in which the connection price is displayed by the customized network connection application.

Ginzboorg teaches the pricing information specifies a currency in which the connection price is displayed by the customized connection application (col. 21 , lines 61-63, col. 8, lines 24-30: charging record displayed by customer includes currency type used in transaction).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Ginzboorg because they both deal with selection of parameters for connection to a network. Furthermore, the teaching of Ginzboorg to modify the teaching of Mundy to specify the currency in which the connection price is displayed by the customized network application would allow various types of currency to be used when arranging contracts for connection to a network thus increasing the options available to customers thus providing an increased customer base (col. 13, lines 23-25).

47. Claims 9 and 40 rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy, Monachello and Ginzboorg as applied respectively to claims 8 and 39 above, and further in view of "official Notice."

48. As per claims 8 and 39, Mundy fails to teach the method of claim 9 and the system of claim 39 wherein the pricing information specifies a conversion rate to be applied when the connection price is displayed in the specified currency. However it was well known in the art at the time the applicant's invention was made that a conversion rate could be used to convert one amount of currency an equivalent value in another currency. It would have been obvious at the time the applicant's invention was made to provide a conversion rate to allow displaying various currencies in a single currency type familiar to the customer. The motivation would be to allow the customer to more readily compare costs when selecting between multiple service providers thus providing increased selection and cost savings for the user.

49. Claims 19 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied respectively to claims 1 and 32 above, and further in view of Carolan et al. (US 6,753,887) hereinafter Carolan.

50. As per claims 19 and 50, Mundy fails to teach the method of claim 1 and the system of claim 50 wherein the customization information includes a logo to be displayed by an interface of the customized network connection application.

Carolan teaches modifying a customized network connection application to include a logo to be displayed by an interface of the application (col. 4, lines 1-6).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Carolan because they both deal with customized applications to access a network. Furthermore, the teaching of Carolan to provide a logo in the user interface of the network connection application

Art Unit: 2154

would provide the user with a reminder of which among the multiple available service providers are being used to access the network (Carolan, col. 2, lines 43-45). Because the cost to access the network may vary with the provider, supplying the logo will allow the user to verify that the intended service is being used and allow service providers to differentiate their offerings (Carolan, col. 12, lines 50-54).

51. Claim 20 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied respectively to claims 1 and 32 above, and further in view of Bleuse et al. (US 6,324,579) hereinafter Bleuse.

52. As per claims 20 and 51, Mundy fails to explicitly teach the method of claim 1 and the system of claim 32 wherein the customization information includes post-connect action information identifying at least one action to be performed subsequent to establishment of a network connection by the customized network connection application.

Bleuse teaches customization information specifying actions to be taken subsequent to the establishment of a network connection (col. 3, lines 40-45).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Bleuse because they both deal with using profile information to customize a network access application.

Furthermore, the teaching of Bleuse to modify the management of the customized connection application taught by Mundy to allow customization of post-connection actions would allow tailoring the connection service as desired by the user to provide custom filtering of unwanted web sites and customized billing (col. 2, lines 42-51).

Art Unit: 2154

53. Claim 21 and 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied respectively to claims 1 and 32 above, and further in view of Sitaraman et al. (US 6,212,561) hereinafter Sitaraman.

54. As per claims 21 and 52, Mundy fails to explicitly teach the method of claim 1 and the system of claim 32 wherein the customization information includes pre-connect action information identifying at least one action to be performed prior to establishment of a network connection by the customized network connection application.

Sitaraman teaches providing customization information indicating a pre-connect action to be performed prior to the establishment of a network connect (col. 4, lines 36-54."forcing disconnection from a previous connection before allowing a new connection).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Sitaraman because they both customizing a network connection application using a profile. Furthermore, the teaching of Sitaraman to elect based on customization information to force closed previous connections prior to initiating a new connection would provide enhanced security by isolating secure networks from other networks (Sitaraman col. 3, lines 37-41).

55. Claims 23 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied respectively to claims 1 and 32 above, and further in view of Corn et al. (US 5,564,017) hereinafter Corn.

56. As per claims 23 and claims 54, Mundy fails to teach the method of claim 1 and

the system of claim 32 wherein the customization information include; disconnect action information identifying at least one action to be performed upon disconnect of a network connection established by the customized network connection application.

Corn teaches providing customization information (col. 4, lines 10-15) specifying an action to be performed upon disconnect of a network connection established by the customized network connection application (col. 3, lines 25-28: user initiates disconnect., col. 4, lines 18-25: based on customization information, network using programs are terminated automatically or user is prompted to elect additional action)(wherein the customization information includes disconnect action information identifying at least one action to be performed upon disconnect of a network connection established by the customized network connection application.)

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Corn because they both deal with customizing an application managing access to a network using a profile. Furthermore, the teaching of Corn to selectively terminate network using programs or prompt the user for further action based on a profile would allow cleanly dealing with programs that require network access when a connection is terminated resulting in increase usability and reliability of network operations (See Corn, col. 4, lines 34-36).

57. Claims 24-26 and 55-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied to claims 1 and 32 above, and further in view of MacFarlane et al. (US 6,125,354) hereinafter MacFarlane.

As per claim 24, Mundy teaches that the customization information includes connection price information associated with network access providers (col. 8, lines 20-25).

Mundy fails to explicitly teach that the connection price information includes phonebook information identifying at least one phonebook providing a markup on a basic connection price charged by a network access provider, and to be included in a total connection price to be charged to an end-user of the customized network connection application.

MacFarlane teaches providing customization information specifying for a markup percentage (Fig. 2, item 210) applicable to particular network access provider (col. 4, lines 30-36) to be included in a total connection price to be charged to an end-user of the customized network connection application (col. 4, lines 9-21).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and MacFarlane because they both deal with customizing an application for network connection based on customization profiles. Furthermore, the teaching of MacFarlane to modify the management of the network connection application to provide a phonebook of markup percentages for each customer of access services would provide a tool for managing the charges in an organization by apportioning them to specific organization sub units (See MacFarlane, col. 2, lines 55-58).

58. As per claim 25, Mundy, Monachello, and MacFarlane as applied to claim 24, teaches the method of claim 24 wherein the markup is expressed as a percentage of

Art Unit: 2154

the basic connection price (col. 1 , lines 59-61).

59. As per claim 26, Mundy fails to teach the method of claim 24 wherein the total connection price comprising a sum of the basic connection price and the markup is displayed to the end-user via an interface of the customized network connection application.

MacFarlane teaches that after the markup is selected, the charges for the selected user are calculated including all price adjustments and printed (col. 36-24).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and MacFarlane to display the total connection price to the end-user via an interface of the customization network application because they both deal with customizing an application for network connection based on customization profiles. Furthermore, the teaching of MacFarlane to display the total connection price comprising a sum of the basic connection price and the markup is displayed to the end-user via an interface of the customized network connection application would provide feedback to the user of the cost associated with selecting a particular service provider allowing the user to make an informed choice of which service provider to use (See Mundy col. 13, lines 13-21 : cost savings from informed selection of access points).

60. As per claims 55-57, claims 55, 56, and 57 are rejected for the same reasons as claims 24, 25, and 26 respectively.

61. Claims 29, 30, 60, and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy and Monachello as applied to claim 1 and 32 above, and

Art Unit: 2154

further in view of Reeder (US 5,852,812).

62. As per claim 29, Mundy teaches customization information includes connection price information associated with network access points (col. 8, lines 20-25).

Mundy fails to explicitly teach that the price information includes pricing rule information specifying a pricing rule to be applied to network connection points within at least one country.

Reeder teaches that providing pricing information including a rule to be applied to network connection points within at least one country (col. 18, lines 46-54).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Reeder because they both deal with customized utilizing in a network access application. Furthermore, the teaching of Reeder to provide pricing information including a rule to be applied to network connection points within at least one country supports a pricing scheme allowing the service provide to collect for the difference in costs associated with accessing the network from outside of their home region thus making it economically feasible for the service provider to allow making the connection (See col. 18, lines 46-58).

63. As per claim 30, Mundy fails to teach the method of 29 wherein the pricing rule specifies a markup percentage to a connection price charged by a network access provider for access in the at least one country.

Reeder teaches a pricing rule specifying a markup percentage charged by a network access provider in the at least one country (col. 15, lines 64-65).

Art Unit: 2154

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Mundy and Reeder because they both deal with customized billing in a network access application. Furthermore, the teaching of Reeder to specify a markup percentage to a connection price charged by a network access provider for access in the at least one country supports a pricing scheme allowing the service provider to collect for the difference in costs associated with accessing the network from outside of their home region thus making it economically feasible for the service provider to allow making the connection (See col. 18, lines 46-58).

64. Claims 60 and 61 are rejected for similar reasons as claims 29 and 30 respectively:

65. Claims 31 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mundy, Monachello, and Reeder as applied respectively to claims 29 and 60 above, and further in view of 'Official Notice'.

66. As per claims 31 and 62, Mundy fails to teach the method of claim 29 and the system of claim 60 wherein the pricing rule specifies a range price rule that utilizes a basic connection price charged by a network access provider for access in the at least one country. However the Office takes official notice that prices markup plans where a fixed retail price is charged for service offerings within a range of wholesale prices were well known in the art at the time the applicant made the invention. It would have been obvious to one of ordinary skill in this art at the time the invention was made to modify the management system and method for customizing a network connection application as taught by Mundy to accommodate the a range price rule that associates a basic

connection price with a range of prices would increase the utility of application by allowing it to accommodate more connection offerings.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp


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